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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,535	03/29/2001	Kevin D. Hunter	150-095RP	4717

7590

10/06/2004

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EXAMINER

ZHONG, CHAD

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/821,535

Applicant(s)

HUNTER, KEVIN D.

Examiner

Chad Zhong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2002.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-12 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-12 are presented for examination.
2. It is noted that although the present application does contain line numbers in specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both the Examiner and Applicant all future correspondence should include the recommended line numbering.
3. The specification is objected to because of the following:

current US patent policy does not permit the use of hyperlinks in the specification. Such links are directed to an Internet site, the contents of which are subject to change without notice. Therefore, the potential for inclusion of new matter would be a constant problem. See page 10, for example. Correction is required for the entire specification and drawings.
4. The use of the trademark Palm, OpenWave and UP.Link among others have been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

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6. Claims 1-2, 4, 6, 7-8, 11-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Perkowski, US 6,625,581.

7. As per claim 1, Perkowski teaches a method of providing a primary content file to a client device comprising the steps of:

(a) inputting into the client device a linkage code comprising a routing identification code and an item identification code (Col. 5, lines 34-55);

(b) transmitting to a routing server the routing identification code and a client device identification code (Fig 1, Fig 2c; Col. 106, lines 45-50), and obtaining from the routing server a URL template associated with the routing identification code and the client device identification code, the URL template comprising the name of a resolution server and at least one parameter field to be completed by the client device (Col. 106, lines 55-60; Col. 41, lines 42-64; Col. 42, lines 43-67);

(c) completing the URL template by filling in the item identification code, the completed URL pointing to content suitable for display on the client device (Col. 42, lines 43-67);

(d) sending the completed URL template to the resolution server named therein to determine the location of the primary content file based on the item identification code and the client device identification code (Col. 42, lines 43-67); and

(e) sending a primary content URL that specifies the location of the primary content file to the client device and redirecting the client device to a primary content server specified by the primary content URL (Col. 42, lines 43-67; Fig 2B1; Col. 48, lines 25-44).

8. As per claim 2, Perkowski teaches the method of claim 1, further comprising the step of providing the primary content file to the client device from the primary content server (Col. 54, lines 10-36).

9. As per claim 4, Perkowski teaches the method of claim 1, wherein the client device is a wireless

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device supporting HTML content (Claim 27).

10. As per claim 6, Perkowski teaches the method of claim 1, wherein the client device is a personal computer supporting HTML content (Claim 27).

11. As per claims 7-8, 11-12, claims 7-8, and 11-12 are rejected for the same reasons as rejection to claims 1-2 and 4-6 above respectively.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

13. Claims 3, 5, 9, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski, US 6,625,581, in view of 'Official Notice'.

14. As per claim 3, Perkowski teaches wireless devices, however, Perkowski does not explicitly teach support of WML content services. "Official Notice" is taken that the concept and advantages of providing for WML is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include WML support with Perkowski because it would provide for light weight communication process between servers and handheld devices.

15. As per claim 5, Perkowski does not explicitly teach the method of claim 1, wherein the client device is a wireless device supporting HDML content. "Official Notice" is taken that the concept and advantages of providing for HDML is well known and expected in the art. It would have been obvious to

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one of ordinary skill in the art to include HDML support with Perkowski because it would provide for light weight communication process between servers and handheld devices, further providing for backwards compatibility.

16. As per claims 9-10, claims 9-10 are rejected for the same reasons as rejection to claims 3, 5 above respectively.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents and publications are cited to further show the state of the art with respect to

“DEVICE BASED ROUTING FOR WEB CONTENT RETRIEVAL”.

- i. US 5804803 Cragun et al.
- ii. US 6542933 Durst Jr. et al.
- iii. US 5867688 Simmon et al.
- iv. “The Mobile Developer”, Eric Giguere, April 4, 2000

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (703) 305-0718. The examiner can normally be reached on M-F 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 703-305-8498. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CZ

August 27, 2004


ZARNI MAUNG
PRIMARY EXAMINER